## RECEIVED **CENTRAL FAX CENTER**

MAR 1 3 2006

## Smith, Gambrell & Russell, LLP WAL TA EYBAROTTA

ATLANTA OFFICE

SUITE 3 (OO, PROMENAGE I) 1830 PEACHTREE SYREET, N.E. ATLANTA, OLUMBUA 30300-3892 TELEPHONE (404) 8 | 5-3500 FACSIMILE (404) 015-3500

Suzannah K. Sundby, Esq. Direct Dial: 202-263-4332 Direct Fax: 202-263-4352 ssundby@sgrlaw.com

SUITÉ BOO 1860 M STREET, N.W.

Washington, D.C. 20036 TELEPHONE (202) 283-4300 FARBINILE (202) 283-4329 WEDSITE WWW.SGRLAW,COM

Established 1893

13 March 2006

FLORIDA OPPICE

Butte 2000, Bank of America Tower So north Laura Street Jacksonville, Fl 38202 TRLEPHONE (904) 599-0100 FACSINILE IPO41 GGB-6300

To:

USPTO

From:

Suzannah K. Sundby

Fax:

Pate:

(571) 273-8300

13 March 2006

Phone: Pages:

6

(including cover page)

In re Application of:

MIKE FARWICK, et al.

Serial No.: 09/963,790

Filed: 27 September 2001

For: NUCLEOTIDE SEQUENCES WHICH CODE FOR THE deaD

GENE

Art Unit: 1656

Examiner: Steadman, David J.

Atty. Dckt: 032301WD230

The following are being submitted via facsimile to the United States Patent and Trademark Office on 13 March 2006:

1. Response to Notice of Non-Compliant Amendment

Certificate Mailing or Transmission under 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300 on 13 March 2006, by Suzannah K. Sundby

Signed:

Mail Stop: Amendment

MAR 1 3 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MIKE FARWICK, et al.

Serial No.: 09/963,790

Filed: 27 September 2001

For: NUCLEOTIDE SEQUENCES WHICH CODE

FOR THE DEAD GENE

Art Unit: 1656

Examiner: Stendman, David J.

Atty. Dckt: 03:!301WD230

## RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Notice of Non-Compliant Amendment mailed 7 March 2006, to which the time for response is 7 April 2006.

Applicants submit herewith a listing of the claims as amended by the Response filed 9 December 2005 and having the word "Canceled" in parenthetical notation, i.e. "(Canceled)" Reconsideration and entry of the amendment filed 9 December 2005 are respectfully requested.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, in the event that additional extensions of time are necessary to prevent abandonment of this application, then such excensions of time are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required therefor are hereby authorized to be charged to Deposit Account No. 02-4300, Attorney Docket No. 032301WD230.

Respectfully submitted,

Registration No. 43,172

Date: 13 March 2006

SMITH, GAMBRELL & RUSSELL, LLP

1850 M Street, N.W., Suite 800

Washington, D.C. 20036

Certificate of Transmission under 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at 571-273/8800 on 13 March 2006 by Suzannah K. Sundby

Signed: